

### **AMENDMENTS TO THE CLAIMS**

The following Listing of Claims will replace all prior versions, and listings, of claims in the application.

Claim 1 (previously presented): A method of forming porous particles, the method comprising:

providing an aqueous suspension of composite particles, the composite particles comprising at least a first material that is not soluble in supercritical carbon dioxide and a second material that is soluble in supercritical carbon dioxide, wherein

the first material is a solid selected from the group consisting of pharmaceuticals, biodegradable polymers, biological agents and combinations of two or more thereof, and

the second material is a solid selected from the group consisting of lipids, waxes, polymers, sugar acetates and fluorocarbons; and  
bubbling supercritical carbon dioxide through the aqueous suspension of composite particles to extract the second material from the composite particles and thus form an aqueous suspension of porous particles comprising the first material suspended in water, the porous particles have an aerodynamic size range of from about 0.5 to about 5 microns and a geometric volume diameter of from about 1 to about 20 microns.

Claims 2-9 (cancelled)

Claim 10 (currently amended): A method of forming porous particles, the method comprising:

providing a supercritical fluid;

providing a first material that is not soluble in the supercritical fluid, wherein the first material is a solid selected from the group consisting of

pharmaceuticals, biodegradable polymers, biological agents and combinations of two or more thereof, and;  
providing a second material that is soluble in the supercritical fluid, wherein the second material is a solid selected from the group consisting of lipids, waxes, polymers, sugar acetates and fluorocarbons;  
contacting the first material and the second material together to form composite particles[.];  
dispersing the composite particles in a solvent that is not soluble in the supercritical fluid to form a suspension of composite particles; and  
bubbling the supercritical fluid through the suspension of composite particles to extract the second material from the composite particles and thus form a suspension of porous particles comprising the first material, wherein the porous particles have an aerodynamic size range of from about 0.5 to about 5 microns and a geometric volume diameter of from about 1 to about 20 microns.